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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,612	08/15/2001	Ian C. Williams	008A.0001.U1(US)	1604

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EXAMINER
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POPHAM, JEFFREY D

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/930,612	WILLIAMS, I.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Jeffrey D. Popham	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,102-119,125-161,175-178 and 180-182 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,102-119,125-161,175-178 and 180-182 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>see attached</u> | 6) <input type="checkbox"/> Other: ____  |

IDS - 20010815, 20040917, 20050203

***Remarks***

Claims 1 and 102-182 are pending.

***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C.

121:

- I. Claims 1, 102-119, 125-161, 175-178, and 180-182, drawn to a first processing resource communicating specific operations to a second processing resource.
- II. Claims 120-124 and 162-166, drawn to the moving of messages so that a message is only stored on 1 processing resource at any time.
- III. Claims 167-171, 172-174, and 179, drawn to remotely controlling a processing resource.

Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.

In the instant case, invention I has separate utility such as use in an online computer game.

In the instant case, invention II has separate utility such as the exchange of copyrighted materials.

In the instant case, invention III has separate utility such as remotely controlling a database.

See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and the search required for Group I contains the classification 463/42, which is not required for Groups II and III, the search required for Group II contains the classification 380/203, which is not required for Groups I and III, and the search required for Group III contains classification 707/10, which is not required for Groups I and II, restriction for examination purposes as indicated is proper.

2. During a telephone conversation with Harry Smith on 3/24/2005, a provisional election was made without traverse to prosecute the invention of group 1, claims 1, 102-119, 125-161, 175-178, and 180-182. Affirmation of this election must be made by applicant in replying to this Office action. Claims 120-124, 167-171, 172-174, and 179 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

### ***Claim Objections***

3. Claims 104-106, 109, 111, 113, 114, 116, 126, 128, 131, 143-145, 149, 177, and 180 are objected to under 37 CFR 1.75(a) because of the following informalities:

- Claims 104-106 and 109 recite the limitation "said predetermined criterion". There is insufficient antecedent basis for this limitation in the claims. For purposes of prior art rejection, these claims have been construed as being dependent upon claim 103.

- Claim 111, line 1: "instruction comprised" should be "instruction being comprised".
- Claims 113, line 3; 114, line 4; and 128, line 3 recite "the message", which is ambiguous as to which message is being referred to, if indeed there are supposed to be multiple messages.
- Claim 116, line 1: "processing resource" should be "processing resource being".
- Claim 126, line 2: "store said instructions" should be "store said instruction".
- Claim 131, line 1: "processing resource" should be "processing resource being".
- Claims 143-145 and 149 recite the limitation "said predetermined criterion". There is insufficient antecedent basis for this limitation in the claims. For purposes of prior art rejection, these claims have been construed as being dependent upon claim 142.
- Claim 177, line 2: "said first processing" should be "said first processing resource".
- Claim 180, line 5 recites the limitation "said instruction". There is insufficient antecedent basis for this limitation in the claim. For purposes of prior art rejected, it has been construed as "an instruction".

Appropriate correction is required.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 175-178 and 180-182 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 175-177, 180, and 181 are non-statutory subject matter because they consist solely of instructions for operation of a method, without providing any tangible medium for the instructions to be stored on. Claims 178 and 182 contain 4 types of statutory media (solid-state memory, magnetic tape memory medium, magnetic disc, and optical storage medium), but also contains 2 types of non-statutory media (communications carrier signal and electronic signal), making the claims, on the whole, non-statutory.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 161, 178, and 182 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board

of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949).

In the present instance, claim 161 recites the broad recitation "less than 2 minutes", and the claim also recites "less than 1 minute" and "the shortest time possible" which are the narrower statements of the range/limitation.

Regarding claims 178 and 182, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.



6. Claims 1, 102-106, 109, 111, 113, 125, 127, 128, 135, 140-145, 149, 151, 153, 175-177, 180 and 181 are rejected under 35 U.S.C. 102(b) as being anticipated by Shiel et al. (GB 2,281,684 A).

Regarding Claim 1,

Shiel et al. disclose a data processing system, comprising:

A first processing resource [management information computer] coupleable to a communications network (Page 7, lines 14-18); and

A second processing resource [card authorization computer] coupleable to the first processing resource (Page 7, line 21 to Page 8, line 3);

The first processing resource and the second processing resource being configured to establish a communications relationship between them, whereby the second processing resource is restricted to implementing an instruction communicated from the first processing resource which only performs a predetermined allowable operation, thereby inhibiting compromise of the second processing resource (Page 12, line 12 to Page 13, line 2).

Regarding Claim 140,

Claim 140 is a method claim that corresponds to system claim 1 and is rejected for the same reasons.

Regarding Claim 175,

Claim 175 is a computer program claim that corresponds to system claim 1 and is rejected for the same reasons.

Regarding Claim 180,

Claim 180 is computer program claim that corresponds to system claim 1 and is rejected for the same reasons.

Regarding Claim 102,

Shiel et al. disclose that the first processing resource is configured to transmit the instruction to the second processing resource for the instruction satisfying a predetermined criterion (Page 9, lines 13-17).

Regarding Claim 141,

Claim 141 is a method claim that corresponds to system claim 102 and is rejected for the same reasons.

Regarding Claim 176,

Claim 176 is a computer program claim that corresponds to system claim 102 and is rejected for the same reasons.

Regarding Claim 181,

Claim 181 is a computer program claim that corresponds to system claim 102 and is rejected for the same reasons.

Regarding Claim 103,

Shiel et al. disclose that the first processing resource is configured to transmit the instruction to the second processing resource and where the second processing resource is configured

to execute the instruction for the instruction satisfying a predetermined criteria (Page 12, lines 19-25).

Regarding Claim 142,

Claim 142 is a method claim that corresponds to system claim 103 and is rejected for the same reasons.

Regarding Claim 177,

Claim 177 is a computer program claim that corresponds to system claim 103 and is rejected for the same reasons.

Regarding Claim 104,

Shiel et al. disclose the predetermined criterion comprising the instruction being included in a predefined set of allowable instructions for the second processing resource (Page 18, lines 11-22).

Regarding Claim 143,

Claim 143 is a method claim that corresponds to system claim 104 and is rejected for the same reasons.

Regarding Claim 105,

Shiel et al. disclose the predetermined criterion comprising the instruction being identified as an allowable instruction for the second processing resource (Page 18, lines 11-22).

Regarding Claim 144,

Claim 144 is a method claim that corresponds to system claim 105 and is rejected for the same reasons.

Regarding Claim 106,

Shiel et al. disclose the second processing resource being configured to transmit an instruction fail message to the first processing resource responsive to the second processing resource determining the instruction failing to satisfy the predetermined criterion (Page 11, lines 21-25).

Regarding Claim 145,

Claim 145 is a method claim that corresponds to system claim 106 and is rejected for the same reasons.

Regarding Claim 109,

Shiel et al. disclose that the second processing resource is configured to provide a reply message to the first processing resource responsive to an instruction satisfying the predetermined criterion (Page 12, lines 12-19).

Regarding Claim 149,

Claim 149 is a method claim that corresponds to system claim 109 and is rejected for the same reasons.

Regarding Claim 111,

Shiel et al. disclose the instruction being comprised in a message for transmission to the second processing resource (Page 18, lines 11-22).

Regarding Claim 151,

Claim 151 is a method claim that corresponds to system claim 111 and is rejected for the same reasons.

Regarding Claim 113,

Shiel et al. disclose that the first processing resource is configured to provide the message including an action code indicative of an instruction type included in the message (Page 19, lines 1-2).

Regarding Claim 153,

Claim 153 is a method claim that corresponds to system claim 113 and is rejected for the same reasons.

Regarding Claim 125,

Shiel et al. disclose a data processing apparatus, comprising a first processing resource coupleable to a communications network (Page 7, lines 14-18); the first processing resource being configured to transmit an instruction to a second processing resource disposed in a non-open network coupled data processing apparatus responsive to receiving a communication via the network and for the instruction satisfying a predetermined criterion (Page 12, line 12 to Page 13, line 2).

Regarding Claim 127,

Shiel et al. disclose that the first processing resource is configured to form a message including the instruction for

transmission to the second processing resource (Page 18, lines 11-22).

Regarding Claim 128,

Shiel et al. disclose that the first processing resource is configured to form the message including an action code indicative of an instruction type included in the message (Page 19, lines 1-2).

Regarding Claim 135,

Shiel et al. disclose a data processing apparatus, comprising a second processing resource that is configured to respond to an instruction received from another processing resource disposed in another data processing apparatus to execute only instructions satisfying a predetermined criterion (Page 12, lines 19-25).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 110, 112, 114-119, 126, 129-131, 150, 152, and 154-159 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiel et al. in view of Willmann et al. (U.S. Patent 5,521,923).

Regarding Claim 110,

Shiel et al. do not disclose the first processing resource comprising a storage medium configured to store the instruction in a queue prior to transmission to the second processing resource.

Willmann et al., however, disclose the first processing resource comprising a storage medium configured to store the instruction in a queue prior to transmission to the second processing resource (Column 4, lines 26-31). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 150,

Claim 150 is a method claim that corresponds to system claim 110 and is rejected for the same reasons.

Regarding Claim 112,

Shiel et al. do not disclose the first processing resource comprising a storage medium configured to store the instruction in a queue prior to transmission to the second processing resource.

Willmann et al., however, disclose the first processing resource comprising a storage medium configured to store the

instruction in a queue prior to transmission to the second processing resource (Column 4, lines 26-31). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 152,

Claim 152 is a method claim that corresponds to system claim 112 and is rejected for the same reasons.

Regarding Claim 114,

Shiel et al. disclose the first processing resource being further configured to provide the message including an action code indicative of an instruction type included in the message (Page 19, lines 1-2), but do not disclose that the first processing resource comprises a storage medium configured to store the message prior to transmission or that the first processing resource is configured to store the message in accordance with a priority assigned to the action code.

Willmann et al., however, disclose the first processing resource comprising a storage medium configured to store the



message prior to transmission to the second processing resource (Column 4, lines 26-31), and the first processing resource configured to store the message in accordance with a priority assigned to the action code (Column 4, lines 48-52 and Column 5, lines 3-9). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 154,

Claim 154 is a method claim that corresponds to system claim 114 and is rejected for the same reasons.

Regarding Claim 115,

Shiel et al. do not disclose the first processing resource comprising a storage medium configured to store the message prior to transmission to the second processing resource, the first processing resource configured to store messages in accordance with their chronological order.

Willmann et al., however, disclose the first processing resource comprising a storage medium configured to store the

message prior to transmission to the second processing resource, the first processing resource configured to store messages in accordance with their chronological order (Column 4, lines 9-19). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 155,

Claim 155 is a method claim that corresponds to system claim 115 and is rejected for the same reasons.

Regarding Claim 116,

Willmann et al. disclose the first processing resource being configured to select a stored message for transmission to the second processing resource in accordance with a priority determined by the action code of the message (Column 6, line 66 to Column 7, line 6). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those

messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 156,

Claim 156 is a method claim that is broader than system claim 116 and is rejected for the same reasons.

Regarding Claim 117,

Shiel et al. disclose the first processing resource configured to transmit the instruction or a message including the instruction responsive to receiving a communication comprising sensitive information (Page 8, line 23 to Page 9, line 6; and Page 12, line 12 to Page 13, line 2), but do not disclose discarding the sensitive information from the first processing resource.

Willmann et al., however, disclose discarding the sensitive information from the first processing resource (Column 4, lines 37-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great

importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 118,

Shiel et al. disclose the message representing sensitive information derived from the communication (Page 8, line 23 to Page 9, line 6).

Regarding Claim 119,

Willmann et al. disclose that the sensitive information is discarded in response to transmission of the message comprising sensitive information to the second processing resource (Column 4, lines 37-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 126,

Shiel et al. do not disclose a storage medium to store the instructions in a queue prior to transmission to the second processing resource.

Willmann et al., however, disclose a storage medium to store the instructions in a queue prior to transmission to the second processing resource (Column 4, lines 26-31). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 129,

Shiel et al. do not disclose that the first processing resource is configured to store messages in accordance with a priority assigned to the action code.

Willmann et al., however, disclose that the first processing resource is configured to store messages in accordance with a priority assigned to the action code (Column 4, lines 48-52; and Column 5, lines 3-9). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less

often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 130,

Shiel et al. do not disclose that the first processing resource is configured to store messages in accordance with their chronological order.

Willmann et al., however, disclose that the first processing resource is configured to store messages in accordance with their chronological order (Column 4, lines 9-19). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 131,

Shiel et al. disclose the first processing resource being configured to transmit the instruction or message responsive to receiving a communication comprising sensitive information (Page 8, line 23 to Page 9, line 6; and Page 12, line 12 to Page 13, line 2), but do not disclose removing at least that part of the communication

comprising the sensitive information from the first processing resource.

Willmann et al., however, disclose removing at least that part of the communication comprising the sensitive information from the first processing resource (Column 4, lines 37-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 157,

Shiel et al. disclose the first processing resource transmitting the instruction or message in response to receiving a communication comprising sensitive information (Page 8, line 23 to Page 9, line 6; and Page 12, line 12 to Page 13, line 2), but do not disclose discarding the sensitive information from the first processing resource.

Willmann et al., however, disclose discarding the sensitive information from the first processing resource (Column 4, lines 37-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage

system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).

Regarding Claim 158,

Shiel et al. disclose the first processing resource deriving sensitive information from a communication, and including the sensitive information in the message (Page 8, line 23 to Page 9, line 6; and Page 12, line 12 to Page 13, line 2).

Regarding Claim 159,

Willmann et al. disclose the first processing resource discarding the sensitive information in response to a transmission of the message comprising the sensitive information to the second processing resource (Column 4, lines 37-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the memory storage system of Willmann et al. into the card authorization system of Shiel et al. in order to allow those messages of high priority to be serviced in a FIFO manner first, while the messages with lower priority will be serviced, just less often, since they aren't of as great importance as the higher priority messages (Column 3, lines 15-20).



8. Claims 107, 108, 132-134, 136-139, and 146-148 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiel et al. in view of Tanaka et al. (U.S. Patent 5,539,909).

Regarding Claim 107,

Shiel et al. do not disclose the second processing resource comprising a database of executable instructions defining predetermined allowable functionality of the second processing resource.

Tanaka et al., however, disclose a second processing resource comprising a database of executable instructions defining predetermined allowable functionality of the second processing resource (Column 5, lines 9-18). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote procedure calling system of Tanaka et al. into the card authorization system of Shiel et al. in order to allow the server to change pointers, parameters, etc. in the exact calling procedure, while allowing the client to use a persistent message to call that same procedure, without needing to know the specifics (Column 2, lines 25-36).

Regarding Claim 146,

Claim 146 is a method claim that corresponds to system claim 107 and is rejected for the same reasons.

Regarding Claim 108,

Shiel et al. do not disclose the instruction comprising a computer program procedure name.

Tanaka et al., however, disclose an instruction comprising a computer program procedure name (Column 4, lines 57-60). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote procedure calling system of Tanaka et al. into the card authorization system of Shiel et al. in order to allow the server to change pointers, parameters, etc. in the exact calling procedure, while allowing the client to use a persistent message to call that same procedure, without needing to know the specifics (Column 2, lines 25-36).

Regarding Claim 148,

Claim 148 is a method claim that corresponds to system claim 108 and is rejected for the same reasons.

Regarding Claim 132,

Shiel et al. do not disclose the instruction comprising a computer program procedure name.

Tanaka et al., however, disclose an instruction comprising a computer program procedure name (Column 4, lines 57-60). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote procedure calling system of Tanaka et al. into the card authorization system of

Shiel et al. in order to allow the server to change pointers, parameters, etc. in the exact calling procedure, while allowing the client to use a persistent message to call that same procedure, without needing to know the specifics (Column 2, lines 25-36).

Regarding Claim 133,

Shiel et al. disclose the predetermined criterion comprising the instruction or the computer program procedure being included in a predefined set of allowable instructions or computer program procedures for the second processing resource (Page 18, lines 11-22).

Regarding Claim 134,

Shiel et al. disclose the predetermined criterion comprising the instruction or the computer program procedure being identified as an allowable instruction or computer program procedure for the second processing resource (Page 18, lines 11-22).

Regarding Claim 136,

Shiel et al. do not disclose a database of executable instructions defining predetermined allowable functionality of the data processing apparatus.

Tanaka et al., however, disclose a database of executable instructions defining predetermined allowable functionality of the data processing apparatus (Column 5, lines 9-18). It would have been obvious to one of ordinary skill in the art at the time of

applicant's invention to incorporate the remote procedure calling system of Tanaka et al. into the card authorization system of Shiel et al. in order to allow the server to change pointers, parameters, etc. in the exact calling procedure, while allowing the client to use a persistent message to call that same procedure, without needing to know the specifics (Column 2, lines 25-36).

Regarding Claim 137,

Shiel et al. do not disclose the instruction comprising a computer program procedure name.

Tanaka et al., however, disclose an instruction comprising a computer program procedure name (Column 4, lines 57-60). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the remote procedure calling system of Tanaka et al. into the card authorization system of Shiel et al. in order to allow the server to change pointers, parameters, etc. in the exact calling procedure, while allowing the client to use a persistent message to call that same procedure, without needing to know the specifics (Column 2, lines 25-36).

Regarding Claim 138,

Shiel et al. disclose the predetermined criterion comprising the instruction or the computer program procedure being included in a predefined set of allowable instructions or computer program

procedures for the second processing resource (Page 18, lines 11-22).

Regarding Claim 139,

Shiel et al. disclose the predetermined criterion comprising the instruction or computer program procedure being identified as an allowable instruction or computer program procedure for the second processing resource (Page 18, lines 11-22).

Regarding Claim 147,

Tanaka et al. disclose the second processing resource comparing the instruction with the database of executable instructions for determining whether the instruction is an allowable instruction (Column 7, lines 25-28).

9. Claims 160 and 161 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiel et al. in view of Willmann et al., further in view of RFC791 ("Internet Protocol, DARPA Internet Program Protocol Specification", 9/1981, obtained from <http://rfc.net/rfc791.html>, pp. 23-31).

Regarding Claim 160,

Shiel et al. as modified by Willmann et al. does not disclose the first processing resource discarding the sensitive information within a predetermined time period.

RFC791, however, discloses the first processing resource discarding the sensitive information within a predetermined time

period (Page 30, Time to Live section, Paragraph 1). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the timer system of RFC791 into the card authorization system of Shiel et al. in order to allow undeliverable datagrams to be discarded after a preset time limit (Page 30, Time to Live section, Paragraph 2).

Regarding Claim 161,

Shiel et al. as modified by Willmann et al. does not disclose that the time period is less than 2 minutes from receipt of the communication, preferably less than 1 minute from receipt of the communication and more preferably the shortest time possible from receipt of the communication.

RFC791, however, disclose that the time period is less than 2 minutes from receipt of the communication, preferably less than 1 minute from receipt of the communication and more preferably the shortest time possible from receipt of the communication (Pages 27-28, An Example Reassembly Procedure section, Paragraph 4). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the timer system of RFC791 into the card authorization system of Shiel et al. in order to allow undeliverable datagrams to be discarded after a preset time limit (Page 30, Time to Live section, Paragraph 2).

10. Claims 178 and 182 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiel et al. in view of Glommen et al. (U.S. Patent 6,393,479).

Regarding Claim 178,

Shiel et al. do not disclose that the computer machine readable instructions are embodied in a carrier medium, the carrier medium comprising at least one of the following: a solid state memory, a magnetic tape memory medium, a magnetic disc such as a floppy disc storage medium, an optical storage medium, a communications carrier signal such as an RF carrier signal or optical carrier signal, and an electronic signal.

Glommen et al., however, disclose that the computer machine readable instructions are embodied in a carrier medium, the carrier medium comprising at least one of the following: a solid state memory, a magnetic tape memory medium, a magnetic disc such as a floppy disc storage medium, an optical storage medium, a communications carrier signal such as an RF carrier signal or optical carrier signal, and an electronic signal (Column 7, lines 20-29). It would have been obvious to one of ordinary skill in the art to incorporate the instruction reading system of Glommen et al. into the card authorization system of Shiel et al. in order to have a medium on which to store the computer program.

Regarding Claim 182,

Shiel et al. do not disclose that the computer machine readable instructions are embodied in a carrier medium, the carrier medium comprising at least one of the following: a solid state memory, a magnetic tape memory medium, a magnetic disc such as a floppy disc storage medium, an optical storage medium, a communications carrier signal such as an RF carrier signal or optical carrier signal, and an electronic signal.

Glommen et al., however, disclose that the computer machine readable instructions are embodied in a carrier medium, the carrier medium comprising at least one of the following: a solid state memory, a magnetic tape memory medium, a magnetic disc such as a floppy disc storage medium, an optical storage medium, a communications carrier signal such as an RF carrier signal or optical carrier signal, and an electronic signal (Column 7, lines 20-29). It would have been obvious to one of ordinary skill in the art to incorporate the instruction reading system of Glommen et al. into the card authorization system of Shiel et al. in order to have a medium on which to store the computer program.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey D. Popham whose telephone number is (571)-272-7215. The examiner can normally be reached on M-F 9:00-5:30.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Andrew Caldwell", with a stylized flourish at the end.

**ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER**